

P. O. Box 16
Escalante, Utah 84726
26 April, 1971

Gerald W. Stoker, Area Engineer
Utah State Engineer
Division of Water Rights
622 North Main
Cedar City, Utah 84720

Dear Mr. Stoker:

Since our telephone conversation this morning, I have again checked water usage. The results of that check make it even more imperative that Leo Wilson install measuring devices as soon as possible.

McKay Bailey's flow was 0.88 cfs on both 24 April and today. Paul Steed's flow, however, dropped from 1.11 to 0.77 cfs over the same period and he appears to be taking all that is available. Leo Wilson has a substantial flow in all three ditches, none of which has a measuring device. Vay Barney's claim is still not active, and Thurman Spencer's is still not active.

If Leo Wilson is within his ~~allotted~~ flow, McKay Bailey would have almost to stop taking water in order for Paul Steed's second priority (1272) to be satisfied. It does not seem reasonable to take such a step at this time when we do not know how much water Leo Wilson is taking. I suggest that if Mr. Wilson has not yet been ordered to install measuring devices, he should be so ordered immediately. The installation of his measuring devices might resolve this problem and at least would place the conflict between the right parties. I will also urge Mr. Wilson in this matter.

This morning we also discussed Mr. Steed's statement that water taken by Mr. Bailey is being returned beyond Mr. Steed's diversion point and is therefore not available to him. It should be noted that if this is true, it would be to Mr. Bailey's advantage to make a correction because his priority follows Mr. Steed's. I suggest we go over the ground together in order to see if any constructive suggestions might be made. Possibly there is an opportunity here to resolve present problems and prevent future ones.

Please give me your comments on these matters, and let me know when you will be available to go over the ground.

Sincerely,

William Hathaway
William Hathaway
Water Commissioner